

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

UNITED STATES OF AMERICA,

Plaintiff,

vs.

Case No. 14-1789 MJ

ALBERT JOHNNY MONDRADON,

Defendant.

**ORDER CONTINUING GRAND JURY PRESENTMENT AND TOLLING
SPEEDY TRIAL TIME COMPUTATION**

This matter is before the Court on Defendant's Unopposed Motion for Extension of Time for Grand Jury Presentment. The Court finds the motion is well-taken and should be granted. The Court further finds, pursuant to 18 U.S.C. § 3161(h)(7)(A), that the ends of justice served by allowing this continuance outweigh the best interest of the public and the defendant in a speedy indictment.

The Court having considered the motion and subsequent to any hearing to determine the appropriate length to continue the grand jury presentment of this matter, being fully advised in the premises and in light of the holding in United States v. Toombs, 574 F.3d 1262 (2009), finds that Defendant has by his motion created a sufficient record to justify granting the motion to continue. See *id.*, 574 F.3d at 1271 (requiring that the record on a motion to continue “contain an explanation of why the mere occurrence

of the event identified by the party as necessitating the continuance results in the need for additional time").

IT IS THEREFORE ORDERED that the period of time within which to indict herein is extended for an additional thirty (30) days.

IT IS FURTHER ORDERED that a period of time not to exceed an additional thirty (30) days is hereby excluded from the computation of a speedy indictment pursuant to 18 U.S.C. § 3161(b) and 18 U.S.C. § 3161(h)(7)(A). The ends of justice served in granting this relief so that pretrial negotiations and investigation may be completed prior to indictment outweigh the interest of the public and the defendant in a speedy trial.

A handwritten signature in black ink, appearing to read 'Carmen E. Garza', with a long horizontal line extending to the right.

CARMEN E. GARZA
UNITED STATES MAGISTRATE JUDGE